

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
BOSTON, MA**

05 11-03 NG

Docket No. _____

MAGISTRATE JUDGE Sorkin

**AKSEL MYTEVELI,
Petitioner/Plaintiff**

v.

**U.S. CITIZENSHIP AND IMMIGRATION
SERVICES, CITIZENSHIP SECTION, and
DENIS C. RIORDAN, DISTRICT DIRECTOR,
Respondents/Defendants**

RECEIPT # _____
AMOUNT \$ 250
SUMMONS ISSUED yes
LOCAL RULE 4.1 _____
WAIVER FORM _____
MCF ISSUED _____
BY DPTY. CLK. from
DATE 7/13/05

**PETITION FOR REVIEW
OF AGENCY DECISION DATED MARCH 15, 2005**

Now comes the Plaintiff, Aksel Myteveli ("Aksel") and, pursuant to the provisions of Chapter 7, of Title 5, United States Code, respectfully Petitions this Honorable Court for a Review of the Decision of the U.S. Citizenship and Immigration Services, Citizenship Section ("C.I.S."), dated March 15, 2005 [Exhibit A] (the "decision").

This Honorable Court also has jurisdiction to administer oaths of allegiance to the United States and naturalize the Plaintiff, pursuant to Section 316 [8 USC 1427] (f)(2) of the Immigration and Nationality Act ("INA").

As grounds for this Petition, the Plaintiff, Aksel Myteveli, states that he has met the requirement of demonstrating his good moral character for the “statutorily prescribed period”, which is: five (5) years, pursuant to INA Section 316(e).

Parties

The Plaintiff is an adult individual, native of Albania, and lawful permanent resident of the United States, currently residing in Sommerville, Massachusetts.

The Defendant United States Citizenship and Immigration Services (a division of the U.S. Department of Homeland Security), is a federal agency, with an office in Boston, Massachusetts, responsible for the processing of immigration-related applications/petitions, and other matters, in the United States; its Citizenship Section is responsible for the processing of applications for Naturalization (for U.S. Citizenship).

The Defendant Denis C. Riordan is the District Director of the C.I.S. in Boston, Massachusetts, and in that capacity, he signed the letter informing the Plaintiff of the agency’s decision which is the subject of this Petition for Review.

Facts

The Plaintiff was born on October 4, 1973, in Albania. He has been a

lawful permanent resident of the United States (“green card” holder) since March 29, 1994. [Exhibit B]

On or about October 28, 1994, Aksel entered active duty in the United States Army. He was released from active duty on December 8, 1995.

[Exhibit C]

The Respondents, C.I.S., allege that on or about April 22, 1995, the Plaintiff was arrested by the military police for “theft of government property”. According to the C.I.S., Plaintiff was placed on probation for six months, and fined \$250. On that basis, C.I.S., in 2005, denied the Plaintiff’s Application for Naturalization, stating that Plaintiff “failed to demonstrate the requisite good moral character for naturalization”. [see Exh. A]

Argument

The C.I.S. in their decision acted arbitrarily, capriciously, and unreasonably; their decision of March 15, 2005 should be overturned or dismissed, and Naturalization, or United States citizenship, should be granted to the Plaintiff by this Honorable Court.

The C.I.S.’ decision was unreasonable, arbitrary and capricious based on the following:

1. As of the date of the decision, it had been almost ten years (twice the “requisite period” of five years) since the incident alleged by the C.I.S. [It

has now been over ten years] Therefore, since the Plaintiff has no other record; he has been over the years, and continues to be, a law-abiding individual and a productive member of society, he has in fact established the requisite good moral character.

2. The incident alleged by the C.I.S. was a matter resorting to the United States' Army's discretion and authority. Pursuant to the Plaintiff's Certificate of Discharge [Exh. C, p. 1], the reason for his "separation" was merely "unsatisfactory performance", and Plaintiff's "Character of Service" was found to be "Honorable".

3. The United States Army, therefore, upon discharging the Plaintiff, was satisfied with his "character of service". The Defendants C.I.S., et al., have no authority and no discretion to substitute their arbitrary judgment to the findings of the United States Army. In addition, the incident alleged by the Defendants happened more than ten years ago. The Plaintiff has demonstrated, over the course of the past ten years (and certainly, during the "statutorily prescribed period" of the past five years), that he is a person of "good moral character".

4. The Plaintiff reserves the right to submit additional evidence of his good moral character to this Honorable Court at trial, or at any time as may this Honorable Court deem appropriate.

Conclusion

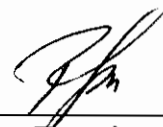
Based on the foregoing, the Plaintiff, Aksel Myteveli, prays that this Honorable Court dismiss or overturn the Defendants' arbitrary and capricious decision of March 15, 2005; grant him naturalization as a United States citizen, and administer, and allow him to take, the Oath of Allegiance to the United States of America.

Respectfully submitted,

AKSEL MYTEVELI,
By his Attorney,

Dated:

7/12/05



Ron Meyers, Esquire
B.B.O. #635674
6 Beacon Street, Suite 715
Boston, MA 02108
(617) 523-4100

Certificate of Service

I, Ron Meyers, Esquire, attorney for the Plaintiff, Aksel Myteveli, certify that I have served the within Petition for Review of Decision Dated March 15, 2005, upon the Defendants: United States Citizenship and Immigration Services, its Citizenship Section, and District Director, by, this day, causing a copy of the same to be delivered, via regular mail, to: District Counsel's Office, U.S. D.H.S./C.I.S., Room 425, John F. Kennedy Federal Building, 15 New Sudbury Street, Boston, Massachusetts 02203.

Dated:

7/12/05



Ron Meyers, Esquire



U.S. Citizenship
and Immigration
Services

**DEPARTMENT OF HOMELAND SECURITY
JOHN F. KENNEDY FEDERAL BUILDING
GOVERNMENT CENTER
BOSTON, MA 02203**

Aksel Myteveli
35 Central Road
Somerville, MA 02143

Refer to File Number: A44 282 217

Date: 3/15/05

On May 7, 2002, you requested a hearing regarding the decision of your application for naturalization. Your application was denied on April 29, 2002 because you failed to establish eligibility for naturalization pursuant to Section 316(a) of the Immigration and Nationality Act ("the Act") to be a person of good moral character.

You were interviewed on August 15, 2002. After reviewing your case and testimony of August 15, 2002, the Service finds that you still do not meet the requirements for naturalization under Section 316 (a) of the Act, in which you failed to be a person of good moral character.

Section 316(a) of the Act requires in pertinent part that: "... (a) No person, shall be naturalized, unless such applicant... (3) During all the periods referred to in this subsection has been and still is a person of good moral character, attached to the principals of the Constitution of the United States, and well disposed to the good order and happiness of the United States."

Title 8, Code of Federal Regulations, Section 316.10 provides in pertinent part as follows:

- (a) Requirement of good moral character during the statutory period. (1) An applicant for naturalization bears the burden of demonstrating that during the statutorily prescribed period, has been and continues to be a person of good moral character. This includes the period between the examination and the administration of the oath of allegiance... In accordance with section 101(f) of the Act, the Service shall evaluate claims of good moral character on a case-by-case basis taking into account the elements enumerated in this section and the standards of the average citizen in the community of residence. Finding of a lack of good moral character. (2) An applicant shall be found to lack good moral character, if during the statutory period the applicant: (iii) Committed unlawful acts that

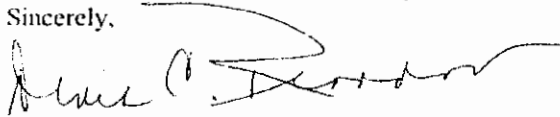
EXHIBIT A

adversely reflect upon the applicant's moral character, or was convicted or imprisoned for such acts, although the acts do not fall within the purview of §316.10 (b)(1) or (2).

On April 22, 1995, you arrested by the military police for "Theft of Government Property." You were placed on probation for six months and fined \$250.00. You have failed at this time to demonstrate the requisite good moral character for naturalization. Therefore, the denial of your application for naturalization dated April 29, 2002 is affirmed.

You may seek review of this decision in the United States District Court, in accordance with Chapter 7, of Title 5, United States Code, within 120 days of the date of this decision.

Sincerely,



Denis C. Riordan
District Director



cc: RON MEYERS

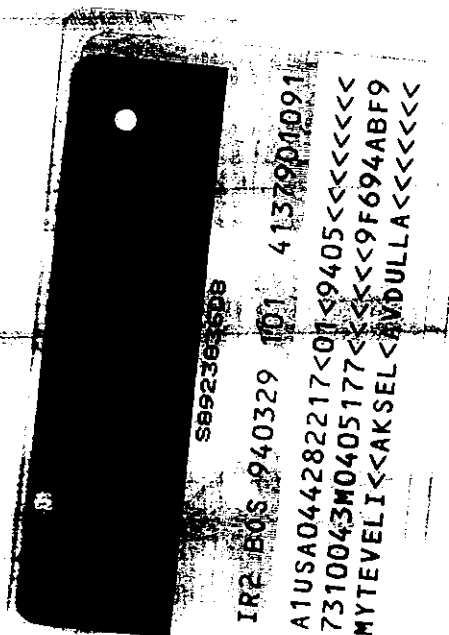


EXHIBIT B

CAUTION: NOT TO BE USED FOR
IDENTIFICATION PURPOSESTHIS IS AN IMPORTANT RECORD.
SAFEGUARD IT.ANY ALTERATIONS IN SHADED
AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME (Last, First, Middle) MYTEVELI, AKSEL AVDULLA		2. DEPARTMENT, COMPONENT AND BRANCH ARMY/RA		3. SOCIAL SECURITY NO. 324 90 7126	
4.a GRADE, RATE, OR RANK PV2	4.b PAY GRADE E2	5. DATE OF BIRTH (YYYYMMDD) 19731004		6. RESERVE OBLIG. TERM. DATE Year 2002 Month 07 Day 20	
7.a PLACE OF ENTRY INTO ACTIVE DUTY CHICAGO, IL		7.b HOME OF RECORD AT TIME OF ENTRY (City and state, or complete address if known) 426 NORTH SPRING LAGRANGE PARK, IL 60525			
8.a LAST DUTY ASSIGNMENT AND MAJOR COMMAND MYRIN BN 1 CO A (AASLT) FC		8.b STATION WHERE SEPARATED FT CAMPBELL, KY 42223-5000			
9. COMMAND TO WHICH TRANSFERRED USAR CRTLGP (ANLTNG) ARPERCEN, 9700 PAGE BLVD. ST LOUIS MO 63132		10. SGLI COVERAGE Amount: \$ 200,000.00			
11. PRIMARY SPECIALTY (List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.) 11B10 INFANTRYMAN--0 YRS-9 MOS//NOTHING FOLLOWS		12. RECORD OF SERVICE			
		Year(s)		Month(s)	
		Day(s)			
		a. Date entered AD This Period		1994 10 28	
		b. Separation Date This Period		1995 12 08	
		c. Net Active Service This Period		0001 01 11	
		d. Total Prior Active Service		0000 00 00	
		e. Total Prior Inactive Service		0000 00 00	
		f. Foreign Service		0000 00 00	
		g. Sea Service		0000 00 00	
		h. Effective Date of Pay Grade		1995 04 28	
13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED (All periods of service) NATIONAL DEFENSE SERVICE MEDAL//ARMY SERVICE RIBBON//NOTHING FOLLOWS					

14. MILITARY EDUCATION (Course title, number of weeks and month and year completed)
NONE//NOTHING FOLLOWS

15.a MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERAN'S EDUCATIONAL ASSISTANCE PROGRAM	Yes	No	15.b MEMBER SCHOOL GRADUATE OR EQUIVALENT	Yes	No	16. DAYS ACCRUED LEAVE PAID 26
		X		X		
17. MEMBER WAS PROVIDED A COMPLETE DENTAL EXAM AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION						Yes
						X
18. REMARKS DATA HEREIN SUBJECT TO COMPUTER MATCHING WITHIN DOD OR WITH OTHER AGENCIES FOR VERIFICATION PURPOSES AND DETERMINING ELIGIBILITY OR COMPLIANCE FOR FEDERAL BENEFITS//SUBJECT TO ACTIVE DUTY RECALL, MUSTER DUTY AND/OR ANNUAL SCREENING//BLOCK 6, PERIOD OF DELAYED ENTRY PROGRAM: 19940721-19941027//MEMBER HAS NOT COMPLETED FIRST FULL TERM OF SERVICE//NOTHING FOLLOWS						

19.a MAILING ADDRESS AFTER SEPARATION (Include Zip Code) 23 NENTORI NO 10 KORGE, AL 00000		19.b NEAREST RELATIVE (Name and address - Include Zip Code) AVDULLA MYTEVELI 28 NENTORI NO 10 KORGE, AL 00000	
20. MEMBER REQUESTS COPY 6 BE SENT TO: DC DIR OF VET. AFFAIRS		22. OFFICIAL AUTHORIZED TO SIGN (Typed name, grade, title and signature) Billie P. Weddington, 389, CHIEF, TP	
21. SIGNATURE OF MEMBER BEING SEPARATED <i>Aksel Myteveli</i>			

SPECIAL ADDITIONAL INFORMATION (For use by authorized agencies only)

23. TYPE OF SEPARATION RELEASE FROM ACTIVE DUTY		24. CHARACTER OF SERVICE (Include upgrades) HONORABLE	
25. SEPARATION AUTHORITY AR 635-200, CHAP 13		26. SEPARATION CODE LHJ	
27. REENTRY CODE 3		28. NARRATIVE REASON FOR SEPARATION UNSATISFACTORY PERFORMANCE	
29. DATES OF TIME LOST DURING THIS PERIOD NONE		30. MEMBER REQUESTS COPY 4 Initials	

VERIFICATION OF MILITARY EXPERIENCE AND TRAINING

1. LAST NAME - FIRST NAME - MIDDLE NAME MYTEVELI AKSEL AVDULLA		2. SEX M	3. SOCIAL SECURITY NUMBER 324-90-7126	4. PAY GRADE E-2
5. MILITARY SERVICE AND COMPONENT Army, Reserve		6. DATE OF BIRTH (YYMM) 1973 OCT 04		7. DATE OF INFORMATION (YYMM) 1996 JUN 01
8. PRIMARY MILITARY OCCUPATION AND TITLE 11B10, Infantryman				9. YEAR(S) IN SERVICE 1
10. EXPERIENCE AND TRAINING HISTORY (IN REVERSE CHRONOLOGICAL ORDER) <p>PROJECTED DATE OF SEPARATION: FEB 16, 1997</p> <p>MILITARY EXPERIENCE: PRIVATE, ARMY, RESERVE, MAR 96 - JUN 96 (3 months)</p> <p>-----</p> <p>SERVICE OCCUPATION(S): PRIMARY OCCUPATION: 11B, Infantryman, Skill Level 10 DUTY OCCUPATION: None SECONDARY OCCUP: None</p> <p>ADDITIONAL QUALIFICATION(S): None.</p> <p>RELATED CIVILIAN OCCUPATION(S): Infantry Unit Leader (DOT 378.137-010) Infantry Operations Specialist (DOT 378.367-022) Combat Rifle Crewmember (DOT 378.684-014) Military Occupations (SOC 9100)</p> <p>PRIMARY OCCUPATION DESCRIPTION FROM AMERICAN COUNCIL ON EDUCATION: (Infantryman) Leads, supervises, and serves as a member of an infantry unit of 10-20 persons, employing individual weapons, machine guns, and anti-armor weapons in offensive and defensive ground combat. SKILL LEVEL 10: Uses individual infantry weapons; lays field wire; performs basic communications functions and operates communication equipment; utilizes camouflage to conceal weapons and personnel; constructs minor fortifications; performs land navigation; performs preventive maintenance on weapons, equipment, and some vehicles; makes verbal reports; administers first aid; operates wheeled vehicles to transport personnel, supplies, and equipment.</p> <p>CREDIT RECOMMENDATION FROM AMERICAN COUNCIL ON EDUCATION (MOS-11B-004): (Infantryman) (1/90-9/91 only (due to the exclusion of Skill Level 10 from the Self Development Test System and the lack of individual evaluation reports.)) In the vocational certificate category, 3 semester hours in mechanical maintenance. In the lower-division baccalaureate/associate degree category, 1 semester hour in map reading, 1 in first aid, and credit in surveying on the basis of institutional evaluation (10/83). (After 10/91) Credit may be granted on the basis of an individual assessment of the student.</p>				
11. ISSUING OFFICIAL <i>H. G. Schwab</i>				12. PAGE NUMBER 1 of 5

1. LAST NAME - FIRST NAME - MIDDLE NAME	2. SOCIAL SECURITY NUMBER	3. DATE OF INFORMATION (YYMM)
MYTEVELI AKSEL AVDULLA	324-90-7126	1996 JUN 01

4. EXPERIENCE AND TRAINING HISTORY (IN REVERSE CHRONOLOGICAL ORDER)

PRIMARY/DUTY OCCUPATION DESCRIPTION FROM AMERICAN COUNCIL ON EDUCATION:
(Infantryman)
As previously stated.

MILITARY EXPERIENCE: PRIVATE, ARMY, ACTIVE, MAY 95 - JUN 95 (1 month)

SERVICE OCCUPATION(S):
PRIMARY OCCUPATION: 11B, Infantryman, Skill Level 10
DUTY OCCUPATION: 11B, Infantryman, Skill Level 10
SECONDARY OCCUP: None

ADDITIONAL QUALIFICATION(S):
None.

RELATED CIVILIAN OCCUPATION(S):
As previously stated.

PRIMARY/DUTY OCCUPATION DESCRIPTION FROM AMERICAN COUNCIL ON EDUCATION:
(Infantryman)
As previously stated.

MILITARY EXPERIENCE: PRIVATE, ARMY, ACTIVE, MAR 95 - MAY 95 (2 months)

SERVICE OCCUPATION(S):
PRIMARY OCCUPATION: 11B, Infantryman, Skill Level 10
DUTY OCCUPATION: 11B, Infantryman, Skill Level 10
SECONDARY OCCUP: None

ADDITIONAL QUALIFICATION(S):
None.

RELATED CIVILIAN OCCUPATION(S):
As previously stated.

PRIMARY/DUTY OCCUPATION DESCRIPTION FROM AMERICAN COUNCIL ON EDUCATION:
(Infantryman)
As previously stated.

MILITARY EXPERIENCE: PRIVATE, ARMY, ACTIVE, JAN 95 - MAR 95 (2 months)

SERVICE OCCUPATION(S):
PRIMARY OCCUPATION: 11B, Infantryman, Skill Level 10
DUTY OCCUPATION: None
SECONDARY OCCUP: None

5. INITIALS	6. PAGE NUMBER
MS	3 of 5

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

1. Title of case (name of first party on each side only) Aksel Myteveli v. United States Citizenship and Immigration Services, et al.
2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).
- ☐ I. 160, 410, 470, 535, R.23, REGARDLESS OF NATURE OF SUIT.
- ☒ II. 195, 196, 368, 400, 440, 441-446, 540, 550, 555, 625, 710, 720, 730, *Also complete AO 120 or AO 121 for patent, trademark or copyright cases
740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950.
- ☐ III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891.
- ☐ IV. 220, 422, 423, 430, 460, 480, 490, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.
- ☐ V. 150, 152, 153.
3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.
none
4. Has a prior action between the same parties and based on the same claim ever been filed in this court?
YES ☐ NO ☒
5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)
YES ☐ NO ☒
If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?
YES ☐ NO ☐
6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?
YES ☐ NO ☒
7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).
YES ☒ NO ☐
- A. If yes, in which division do all of the non-governmental parties reside?
Eastern Division ☒ Central Division ☐ Western Division ☐
- B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?
Eastern Division ☐ Central Division ☐ Western Division ☐
8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)
YES ☐ NO ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME Ron Meyers, Esq.ADDRESS 6 Beacon Street, Suite 715, Boston, MA 02108TELEPHONE NO. 617 523-4100

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Aksel Myteveli

(b) County of Residence of First Listed Plaintiff Middlesex
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorney's (Firm Name, Address, and Telephone Number)

Ron Meyers, Esq., 6 Beacon St., Suite 715, Boston, MA 02108
(617) 523-4100

DEFENDANTS

United States Citizenship & Immigration Services, Citizenship
Section, and Denis C. Riordan, District Director

County of Residence of First Listed Defendant Suffolk
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input checked="" type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) SOCIAL SECURITY <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609
				<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

- (Place an "X" in One Box Only)
- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from another district (specify)
☐ 6 Multidistrict Litigation
☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
Chapter 7 of Title 5 USC and 8 USC 1427

Brief description of cause:

Petition for Review of Denial by the Defendants of the Plaintiff's Application for Naturalization (US Citizenship)

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

07/12/2005

SIGNATURE OF ATTORNEY OF RECORD



FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____